

DARREN HARRIS,
Plaintiff,
v.
KIM , et al.,
Defendants.

Plaintiff Darren Harris, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on January 3, 2005. Pursuant to the decision of the United States Court of Appeals for the Ninth Circuit, this action shall proceed on Plaintiff's fourth amended complaint against Defendants Olivarria, Williams, and Kim for violation of the Eighth Amendment, and against Defendants Olivarria and Lowden for violation of the First Amendment; and Defendants have been ordered to file a response to the complaint within twenty days.

Accordingly, Plaintiff's motion to withdraw his amended complaint and proceed on his original complaint, filed on January 6, 2011, is HEREBY DENIED as moot.¹

IT IS SO ORDERED.

Dated: June 15, 2012

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

¹ Entitled in relevant part “Motion to Delete all Amended Complaints in this Action” and “Motion to Stay the Original Complaint.”